



## MONTANA STATE PRISON HEALTH SERVICES OPERATIONAL PROCEDURE

Procedure No.: MSP HS I-03.0	Subject: <b>FORENSIC INFORMATION</b>
Reference: NCCHC Standard P-I-03,2014; DOC 1.5.13, DNA Testing/Collection of Biological Samples; DOC 1.3.14, Prison Rape Elimination Act of 2003 (PREA)	Page 1 of 1 and no attachments
Effective Date: November 1, 2010	Revised: June 1, 2017
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Signature / Title: /s/ Tristan Kohut, D.O. / Medical Director	

### I. PURPOSE

To define the role of the health care professionals in the collection of certain information for forensic purposes.

### II. DEFINITIONS

Forensic Information – physical or psychological data collected from an inmate that may be used against him or her in disciplinary or legal proceedings.

### III. PROCEDURES

#### A. Guidelines

1. Laboratory tests, examinations, and radiological procedures for forensic information
  - a. State law and court ordered laboratory tests may be drawn by MSP health care personnel, so long as there is consent of the inmate and the health services staff is not involved in any punitive action taken as a result of an inmate's nonparticipation in the collection process.
  - b. The order for laboratory collection must be requested by an attending physician who is not involved in a therapeutic relationship with the inmate.
2. Body Cavity Searches
  - a. MSP health care staff may not, under any circumstances, participate in a body cavity search.
  - b. If the need for body cavity search is required, the Warden may request that health service staff from a community health care facility perform the procedure. See MSP 3.1.17a.
3. Sexual Assault
  - a. In the event of sexual assault, MSP health care personnel will only complete initial health assessment for determination and treatment of any emergency needs.
  - b. MSP health care staff will make arrangements for transfer to a community health center equipped to evaluate and treat sexual assault/rape victims after the initial health assessment is complete. See DOC 1.3.14.

### IV. CLOSING

Questions concerning this operational procedure will be directed to the Health Services Manager.

### V. ATTACHMENTS None